

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 10, 2002
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Murphy at 10:05 a.m. The meeting was recessed by Mayor Murphy at 10:41 a.m. to convene the Redevelopment Agency. Mayor Murphy reconvened the meeting at 10:45 a.m. with all Council Members present. Mayor Murphy recessed the meeting at 10:55 a.m. for purposes of a break. Mayor Murphy reconvened the meeting at 11:03 a.m. with all Council Members present. Mayor Murphy recessed the meeting at 12:00 p.m.

The meeting was reconvened by Mayor Murphy at 2:05 p.m. with Deputy Mayor Stevens and Council Member Inzunza not present. Mayor Murphy recessed the meeting at 3:47 p.m. for the purpose of a break. The meeting was reconvened by Mayor Murphy at 3:57 p.m. with all members present. Mayor Murphy adjourned the meeting at 5:05 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

Clerk-Abdelnour (er/mc)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Don Stillwell commented regarding education and the responsibility of City officials to ensure that the truth is being taught to the children residing in the city.

Council Member Stevens suggested that Mr. Stillwell take his concern to the school board who are elected to govern what is taught in the schools.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A015-045.)

PUBLIC COMMENT-2:

Al Strohlein expressed his concern regarding public activities that condone the consumption of alcohol.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A046-093.)

PUBLIC COMMENT-3:

Noel Nudeck commented regarding his concern that City staff is issuing building permits for townhouses which allow several concrete steps that block wheelchair access.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A095-113.)

PUBLIC COMMENT-4:

Teresa Quiroz commented regarding the Junior Lifeguard program and thanked Lt. Brent Bass, Debra Terry, Sgt. John Sandmeyer, and Cynthia Corenza for helping to make improvements to the program to ensure that all children have access to the program and everyone feels welcomed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A135-160.)

PUBLIC COMMENT-5:

Tom Switzer commented regarding the commemoration of the tragedy on September 11th.

Mayor Murphy announced that the City Council has declared September 11 to be Patriot Day in the City of San Diego. The City will be sponsoring a ceremony in Balboa Park at the Organ Pavilion at 12:30 p.m. and everyone is invited to attend. San Diegans are asked to fly their flags from dawn to dusk on September 11, and leave their porch lights on from dusk to midnight. The churches are asked to ring their bells four times at the time the airliners crashed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A163-212.)

PUBLIC COMMENT-6:

Carol Dean expressed her concerns regarding the building of the proposed Mission Bay Nature Center in Crown Point Shores Park. She stated that she represents about 500 citizens who signed a petition opposed to the nature center.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A214-254.)

PUBLIC COMMENT-7:

Jarvis Ross commented regarding the City's Organization Chart.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A257-293.)

PUBLIC COMMENT-8:

Steve McWilliams announced his resignation from the Medical Marijuana Task Force.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A295-338.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Atkins commented on the Medical Marijuana Task Force.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A348-392.)

COUNCIL COMMENT-2:

Council Member Wear announced that San Diego will host a dramatic collection of photographs from the September 11 disaster. The display will be held at 232 5th Avenue and will run from today through November 10. It is free to the public, and the website is: www.hereisnewyorksd.org. It is open everyday but Monday and will be open tomorrow night until 10:00 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A395-425.)

COUNCIL COMMENT-3:

Mayor Murphy stated that the official kick-off of the photographic display is today and Council Member Wear and his wife are the co-chairs of the committee that put this together.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A426-432.)

COUNCIL COMMENT-4:

Council Member Frye invited everyone to attend the eleventh annual Paddle for Clean Water festivity which will take place this Sunday, September 15, from 8:00 a.m. to 12:00 p.m. at the Ocean Beach pier.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A434-452.)

COUNCIL COMMENT-5:

Council Member Stevens commended Mayor Murphy for his leadership in commemorating the September 11th tragedy.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A454-460.)

CITY ATTORNEY COMMENT:

None.

CITY MANAGER COMMENT:

None.

ITEM-330: Francis Parker Lower School Expansion.

Matter of approving, conditionally approving, modifying or denying to the City Council of a request for a Conditional Use Permit, Planned Development Permit, Site Development Permit and Street and Easement Vacations on a Parcel Map for the remodeling and expansion of a 36,172 square foot elementary school on a 4.86 acre site, located at 4201 Randolph Street in the RS-1-7 and RS-1-1 zones within

the Uptown Community Plan area. The project would include the vacation of Plumosa Way east of Randolph Street, vacation of three sewer easements, and demolition of the existing north wing of the school, classrooms, and an existing one-story residence with accessory structures. Proposed project construction activities would consist of 10,225 square feet of demolition, 22,910 square feet of new building space, 10,908 square feet of interior tenant improvements, and a new 33-space parking lot. The completed elementary school project would be 49,112 square feet of floor area. The proposed project includes deviations to the height and off-street parking requirements. The project would also include a Multiple Habitat Planning Area (MHPA) boundary correction.

(See City Manager's Report CMR No. 02-191. CUP/PDP/SDP/Street and Easement Vacations/PM-1039 (Former No. 40-1050.) Uptown Community Plan area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitems A and B; and adopt the resolution in subitem C to grant the permits.

Subitem-A: (R-2003-290) ADOPTED AS RESOLUTION R-297050

Adoption of a Resolution certifying that Environmental Impact Report No. 40-1050, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Francis Parker Lower School Expansion project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Environmental Impact Report No. 40-1050, is hereby approved;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2003-291) ADOPTED AS RESOLUTION R-297051

Adoption of a Resolution approving and accepting PARCEL MAP W.O. NO. 401050 [MAP], being a lot consolidation of a portion of block 19, lying west of the bottom of the canyon, running northerly and southerly through said block 19, all of Lots 1 thru 24 inclusive in block 20, Lots 1 thru 12 and 18 thru 24 inclusive in block 21, and Lots 1 thru 4 inclusive in block 22, all of Arnold & Choate's Addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 334, filed in the Office of the County Recorder of San Diego County, together with Lots 1 thru 12 inclusive in block 20, Lots 1 thru 12 inclusive in block 21, both of North Florence Heights, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 634, filed in the Office of the County Recorder of San Diego, together with those portions of Hunter Street as closed to public use on September 30, 1914, by Resolution No. 18277, Lark Street as closed to public use on September 20, 1938, by Resolution No. 68235, Arbor Street as closed to public use on July 22, 1914, by Resolution No. 17813 and on February 20, 1992, by Resolution No. 27347, Randolph Street as closed to public use on March 11, 1925, by Resolution No. 33526, together with those portions of Plumosa Way, Randolph Street, and Montecito Way as dedicated to public use, is made in the manner and form prescribed by law and conforms to the surrounding surveys;

That an easement for sewer purposes granted to the City of San Diego, recorded June 5, 1929, in Book 1652, Page 33 of Deeds, an easement for sewer purposes granted to the City of San Diego in deed recorded September 30, 1938, in Book 832, Page 199 of Deeds, an easement for sewer purposes granted to the City of San Diego in deed recorded September 30, 1938, in Block 833, Page 186 of Deeds, together with that portion of Plumosa Way as granted to the City of

San Diego by deed recorded November 30, 1914, in Book 676, Page 16 of Deeds are not shown within the boundary of this Parcel Map because they are being vacated pursuant to section 66445(j) of the State Subdivision Map Act;

That the Clerk of said City is hereby authorized and directed to endorse upon the MAP, as and for the act of the Council, that the Council has approved the MAP on behalf of the public as heretofore stated;

That the Clerk of said City is hereby directed to transmit the MAP to the County Recorder of the County of San Diego, California.

Subitem-C: (R-2003-) GRANTED PERMITS ONLY, OFF-SITE PARKING NOT GRANTED; ADOPTED AS AMENDED AS RESOLUTION R-297052

Adoption of a Resolution granting or denying the Conditional Use Permit No. 2063, Planned Development Permit No. 6051 and Site Development Permit No. 6055, with the implementation of Alternative 9.3.5, Off-Site Parking Acquisition/Lease in EIR No. 40-1050, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

On June 20, 2002 the Planning Commission voted 4-2 to approve; was opposition.

First Motion:

Ayes: Brown, Steele, Schultz, Anderson

Nays: Lettieri, Chase

Not present: Garcia

On June 20, 2002 the Planning Commission voted 5-1 to approve; was opposition.

Second Motion:

Ayes: Brown, Chase, Lettieri, Schultz, Steele

Nays: Anderson

Not Present: Garcia

The Uptown Planners Community Planning Group has recommended denial of this project.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Francis Parker Lower School Expansion project is comprised of three major elements: remodeling and expansion of the existing 36,172-square-foot school; a street vacation of Plumosa Way and sewer easement vacations on a Parcel Map; and a Multi-Habitat Planning Area (MHPA) boundary correction. The projected building characteristics are divided into phases including; the construction of portable classrooms, the demolition of existing structures and the vacation of Plumosa Way and sewer easements, the construction of buildings A and B, the removal of temporary facilities and the conversion of a tennis court into a 33-space parking lot, and the construction of a cafeteria. The completed project would have 22,910 square feet of new building space, 10,908 square feet of interior tenant improvements, and a new 33-space on-site parking lot. The completed project would be 49,112 square feet of floor area.

FISCAL IMPACT: None.

Ewell/Christiansen/JCT

LEGAL DESCRIPTION:

The project site is more particularly described as a portion of block 19, 20, 21, and 22 of Arnold and Choate's Addition, Map No. 334.

FILE LOCATION: LUP - Francis Parker Lower School Expansion 09/10/02
(65)

COUNCIL ACTION: (Tape location: B105-C250; D010-G532.)

Hearing began at 11:00 a.m. and recessed at 12:00 p.m.

Hearing resumed at 2:06 p.m. and halted at 5:04 p.m.

Testimony in opposition by Scott Borden, Louise Adler, Michael Poynor, Lucy Abernathy, Nikki Clay, Ben Clay, Ann Davern, Martha Graham, Sera Larkins, Joe O'Connor, Alex Sachs, Peter Sorvas, and Rebecca Wood.

Testimony in favor by Jim Waring, Grant Lichtman, Paul Robinson, Juan Vargas, Adrienne Vargas, Lucy Killea, Kent Trimble, Michael LaBarre, Michael Thiemann, Sharon Beamer, Andrew Squier, Julia Thead, Taylor Fleming, Bill Evans, Larry Prior, Charles Bird, Louis Gooble, Chris Celentino, Christine Hickman, Nelly Dean, Howard Greensberg, Gina Lew, Ellen Heynemen, Mary Moore and Adrian Baker.

MOTION BY WEAR TO ADOPT THE RESOLUTION FOR SUBITEM A, TO CERTIFY THE EIR, LDR NO. 40-1050, DATED JUNE 5, 2002 AND ADOPT THE CANDIDATE FINDINGS AND OVERRIDING CONSIDERATIONS FOR THE PROJECT.

TO ADOPT THE RESOLUTION FOR SUBITEM B, APPROVING THE PLUMOSA WAY STREET VACATION AS PROPOSED, AND ADOPT THE FOLLOWING FINDINGS:

1. THERE IS NO PRESENT OR PROSPECTIVE PUBLIC USE FOR PLUMOSA WAY, EITHER FOR THE FACILITY FOR WHICH IS WAS ORIGINALLY ACQUIRED OR FOR ANY OTHER PUBLIC USE OF A LIKE NATURE THAT CAN BE ANTICIPATED.
2. THE PUBLIC WILL BENEFIT FROM THE ACTION THROUGH IMPROVED USE OF THE LAND MADE AVAILABLE BY THE VACATION.
3. THE VACATION DOES NOT ADVERSELY AFFECT ANY APPLICABLE LAND USE PLAN.
4. THE PUBLIC FACILITY FOR WHICH PLUMOSA WAY WAS ORIGINALLY ACQUIRED WILL NOT BE DETRIMENTALLY AFFECTED BY THE VACATION.

TO ADOPT THE RESOLUTION FOR SUBITEM C, GRANTING THE CONDITIONAL USE PERMIT (CUP), SITE DEVELOPMENT PERMIT (SDP) AND PLANNED DEVELOPMENT PERMIT (PDP) AS PROPOSED BY THE PROJECT APPLICANT, FRANCIS PARKER SCHOOL, AND ADOPT THE FINDINGS AS RECOMMENDED BY CITY STAFF WITH THE FOLLOWING CONDITIONS:

1. LIMITATION OF SPECIAL EVENTS AS RECOMMENDED BY THE PROJECT APPLICANT AND THE PLANNING COMMISSION (FROM 71-41)
2. THE PROJECT WILL PROVIDE 40 ON-SITE PARKING SPACES AS PROPOSED BY THE PROJECT APPLICANT, FRANCIS PARKER LOWER SCHOOL AND 2 STREET HANDICAPPED PARKING SPACES.

AT WHICH POINT THE APPLICANT CONSTRUCTS THE CAFETERIA AS PROPOSED BY THE PROJECT, THE PROJECT APPLICANT WILL PROVIDE AN ADDITIONAL 8 PARKING SPACES.

3. IMPLEMENTATION AND ENFORCEMENT OF THE OPERATIONS PLAN, TRAFFIC AND HAZARD PROTOCOL AS PROPOSED BY THE PROJECT APPLICANT, FRANCIS PARKER LOWER SCHOOL. THAT IS THE CURRENT PLAN THAT THEY HAVE IN EFFECT NOW, AND MADE PART OF THE CUP.
4. IMPLEMENTATION AND ENFORCEMENT OF THE EMPLOYEE DISPERSAL PROGRAM AS PROPOSED BY THE PROJECT APPLICANT, FRANCIS PARKER LOWER SCHOOL, AND MADE PART OF THE CUP.

APPROVAL OF THE FOLLOWING CONDITIONS, WHICH THE APPLICANT PUBLICALLY AGREED TO FOR THE RECORD:

1. THAT THE USE OF PORTABLE TRAILERS, AS A TEMPORARY USE DURING CONSTRUCTION, SHALL NOT EXCEED A PERIOD OF 18 MONTHS.
2. THAT THE PRINCIPAL OF THE SCHOOL WILL BE THE SINGLE POINT OF CONTACT THAT THE CITY CAN WORK WITH FOR ALL ENFORCEMENT ISSUES PERTAINING TO TRAFFIC.
3. THAT THE ADDITIONAL EIGHT PARKING SPACES WOULD MEET ALL THE APPLICABLE CODES.
4. THAT THE CITY WOULD GO BACK AND WORK WITH THE SCHOOL ON THE DESIGN OF THE PARKING LOT TO ENSURE THAT IT IS AS CLOSE AS POSSIBLE TO MEETING THE LANDSCAPING REGULATIONS WHILE MEETING THE INTENT OF PROVIDING THE PARKING SPACES.

5. THAT THE CITY WILL RECOVER COST ASSOCIATED WITH CODE ENFORCEMENT ACTIVITIES.
6. THAT THE ENROLLMENT CAP IS PART OF THE CUP.

Second by Inzunza. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea (nay on statement of overriding consideration), Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-331: Savannah Terrace.

Matter of approving, conditionally approving, modifying or denying to the City Council a Rezone from CC to RM-2-5 (1 dwelling unit per 1,500 square feet of lot area) Tentative Map/Planned Development Permit/Site Development Permit/Street Vacation/Multiple Habitat Plan Area Boundary Adjustment to develop five lots with 289 multi-family units on a 28.96-acres site. The project is located at the northeast corner of Sabre Springs Parkway and Poway Road.

(See City Manager's Report CMR-02-197. RZ/PDP/SDP/SV/TM/MHPA Boundary Adjustment 40-0644. Sabre Springs Community Plan area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in subitem A; adopt the resolution in subitem B to deny the permits and MHPA Boundary Adjustment; adopt the resolution in subitem C to deny the tentative map/street vacation; and adopt the resolution in subitem D:

Subitem-A: (O-2003-60) CONTINUED TO TUESDAY, OCTOBER 8, 2002

Introduction of an Ordinance changing portions of a property, located at the northeast corner of Sabre Springs Parkway and Poway Road, in the Sabre Springs Community Plan Area, in the City of San Diego, California, from CC-1-3 (Community Commercial) Zone into the RM-2-5 (Medium Density Residential) Zone, as defined by San Diego Municipal Code section 101.0111; and repealing Ordinance O-17061 (New Series), adopted April 18, 1988, of the ordinances of the City of San Diego insofar as the same conflicts herewith.

Subitem-B: (R-2003-) CONTINUED TO TUESDAY, OCTOBER 8, 2002

Adoption of a Resolution granting or denying Planned Development/Site Development Permit No. 40-0644 and MHPA Boundary Adjustment, with appropriate findings to support Council action.

Subitem-C: (R-2003-) CONTINUED TO TUESDAY, OCTOBER 8, 2002

Adoption of a Resolution granting or denying Vesting Tentative Map/Street Vacation 40-0644, with appropriate findings to support Council action.

Subitem-D: (R-2003-317) CONTINUED TO TUESDAY, OCTOBER 8, 2002

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration No. 40-0644, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of regulations section 15000 et seq.), and that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Savannah Terraces project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that Mitigated Negative Declaration, is approved;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

OTHER RECOMMENDATIONS:

On June 13, 2002, the Planning Commission voted 5-0 to approve staff's recommendations and deny the proposal; no opposition.

Ayes: Lettieri, Brown, Garcia, Steele and Shultz
Recusing: Chase

On August 3, 2001, the Sabre Springs Planning Group voted 7:0:1 in support of the project.

CITY MANAGER SUPPORTING INFORMATION:

The 28.69-acre project site is located on the northeast corner of Sabre Springs Parkway and Poway Road, within the Sabre Springs Community Plan area. The project site is designated Community Commercial, Multi-Family and Institutional. Surrounding uses include Specialty Commercial (SC) to the west; Low-Medium Density Residential (LM-10-15 du/acre) to the south; Institutional/Utilities (IN) to the east; Medium Density Residential (M-15-30 du/acre) to the northeast; Open Space (OS) and Neighborhood Park (NP) to the north of the project site.

FISCAL IMPACT: None.

Ewell/Christiansen/PXG

LEGAL DESCRIPTION:

The project site is located at the northeast corner of Sabre Springs Parkway and Poway Road, within the Sabre Springs Community Planning area and is more particularly described as Parcel 1 and 2, per Parcel Map No. 17661; Lots 4 and 5 of North Creek Areas 14, 15, 16, 17, and 18, Unit No. 1, per Map No. 12937.

FILE LOCATION: LUP - Savannah Terrace 09/10/02 (65)

COUNCIL ACTION: (Tape location: A472-478.)

MOTION BY MAIENSCHIN TO CONTINUE FOR FURTHER REVIEW TO OCTOBER 8, 2002 . Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-332: Meadows Del Mar.

Matter of approving, conditionally approving, modifying or denying a Tentative Map, Amendment to Conditional Use Permit CUP No. 89-1296, Vacation of General Utilities Easement, for a previously approved project consisting of a 110,130 square foot resort hotel facility with 46 keys, plus separate buildings surrounding the hotel encompassing 84 hotel casitas suites and 84 interval club units. The project area is 24.01 acres located at 5300 Meadows Del Mar Road within the Del Mar Mesa Specific Plan.

(TM-7383/Easement Abandonment-5757/Amendment to CUP No. 89-1296. Del Mar Mesa Community Plan Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A; adopt the resolution in Subitem B to grant the map and easement abandonment; and adopt the resolution in Subitem C to grant the permit:

Subitem-A: (R-2003-278) ADOPTED AS RESOLUTION R-297042

Adoption of a Resolution declaring that the information contained in the final document, Environmental Impact Report No. 89-1296, adopted on December 10, 1996, by Resolution No. R-288197, including any comments received during the public review process, has been reviewed and considered by this Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guideline section 15162 would warrant any additional environmental review in connection with approval of the Meadows Del Mar Project;

Directing the City Clerk to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2003-) GRANTED MAP AND EASEMENT ABANDONMENT,
ADOPTED AS RESOLUTION R-297043

Adoption of a Resolution granting or denying Tentative Map No. 7383 and Easement Abandonment No. 5757, with appropriate findings to support Council action.

Subitem-C: (R-2003-) GRANTED PERMIT, ADOPTED AS RESOLUTION R-297044

Adoption of a Resolution granting or denying Amendment to Conditional Use Permit No. 89-1296 (CUP No. 5758), with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

On August 1, 2002 the Planning Commission voted 7-0 to approve staff's recommendations as outlined in Report to the Planning Commission No. P-02-126; no opposition.

Ayes: Anderson, Lettieri, Brown, Chase, Garcia, Schultz, and Steele

The Del Mar Mesa Community Planning Group has recommended approval of this project.

SUPPORTING INFORMATION:

Meadows Del Mar Hotel/Resort located at 5298 Meadows Del Mar Road in the AR-1-1 zone of the Del Mar Mesa Precise Plan, legally described as Portion of Lots 145, 147 and 152 of the Bougainvillea, Map No. 13684, File No. 1998-753785. The proposed project is 24.01-acres of the previously approved 377.8 acre Bougainvillea site. Council approval of the Tentative Map, General Utilities Easement Abandonment, and Amendment to Conditional Use Permit No. 89-1296 for the Meadows Del Mar Hotel allows a change in use from hotel to commercial condominiums. The tentative map and amendment to the conditional use permit will allow the creation of commercial condominium units in order to allow resort suites to be sold under interval ownerships, fractional ownerships, or club-type ownerships. All three classifications could potentially be "commercial condominiums" units. The tentative map will also permit the abandonment of several City General Utilities Easement and regranting of these easements in other locations on the site to accommodate building and driveway placement. No physical changes to the site plan, grading or architecture are proposed from the previously approved Bougainvillea project.

PROJECT TRAFFIC INFORMATION:

The proposed Meadows Del Mar project is estimated to generate approximately 1,712 average daily trips (ADT). 450 of these trips are estimated to occur on Interstate 5 south of State Route 56, which has an estimated near-term plus project volume of 266,450 ADT. Caltrans is planning to widen Interstate 5 to provide ten additional lanes south of State Route 56 to be completed by 2005-2007. Del Mar Mesa/Subarea V is required to contribute \$1.3 million for the widening of State Route 56 from 4 to 6 lanes. The construction and occupancy of the units will be in phases 2005-2009. This is consistent with the previous approved permit.

FISCAL IMPACT:

A deposit has been collected from the applicant to cover all costs associated with processing this proposed project.

Ewell/Christiansen/FM

LEGAL DESCRIPTION:

The project is located in the western portion of the Subarea V of the North City Future Urbanizing Area with a portion of the site in the eastern part of the Neighborhood 10 Precise Plan area. The site is south of Carmel Valley and two miles east of I-5. Access to the site is from Carmel Country Road. The site lies on the USGS Del Mar Quadrangle on the south ½ of Section 21, T14S, R3W, SBM, along with the SE 1/4 of the NW 1/4 of Section 21, and a portion of the south ½ of the SE 1/4 of Section 20, T14S, R3W, SBM.

FILE LOCATION: LUP - Meadows Del Mar - 09/10/02 (65)

COUNCIL ACTION: (Tape location: A561-650.)

Hearing began at 10:45 a.m. and halted at 10:50 a.m.

MOTION BY PETERS TO ADOPT THE RESOLUTION IN SUBITEM A; ADOPT THE RESOLUTION IN SUBITEM B TO GRANT THE MAP AND EASEMENT ABANDONMENT; AND ADOPT THE RESOLUTION IN SUBITEM C TO GRANT THE PERMIT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-333: Reapportionment of Categories and Seats for the Centre City Advisory Committee (CCAC).

(Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-320) ADOPTED AS RESOLUTION R-297045

Approving the reapportionment of categories and seats for the Centre City Advisory Committee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B035-043.)

MOTION BY WEAR TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-334: Joint Public Hearing - First Amendment to Disposition and Development Agreement - Broadway Tower 655, LLC.

(See Centre City Development Report CCDCC-02-01 and memorandum from Keyser Marston Associates, Inc. dated 8/01/2002. Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-289) ADOPTED AS RESOLUTION R-297046

Approving the sale of property located generally at Kettner Boulevard and Broadway in the Centre City Redevelopment Project Area to Broadway Tower 655, LLC;

Approving the First Amendment to Disposition and Development Agreement and the Payment Agreement; and making certain findings with respect to such sale.

NOTE: See the Redevelopment Agency Agenda of 9/10/2002 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A550-560.)

MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-nay, Stevens-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-S500: Encumbrance of City Properties as Collateral for Section 108 Loans.

(See City Manager Report CMR-02-198. Southeastern, Ocean Beach, College, Centre City, Midway-Pacific Highway Community Planning Areas. Districts-2, 3, 4, 7 and 8 and Citywide.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-309) RETURNED TO THE CITY MANAGER

Authorizing the City Manager to place encumbrances totaling \$19,100,000 on City Properties and other assets such as leaseholds to satisfy collateral requirements related to approved Department of Housing and Urban Development (HUD) Section 108 loans as specified below:

1. Central Police Station, 2501 Imperial Avenue, for the Section 108 loan related to its construction;

2. Ocean Beach Branch Library, 4801 Santa Monica Avenue, the adjacent property at 4817-23 Santa Monica Avenue which is to be purchased with Section 108 funds, and the improvements to be placed thereon for the Section 108 loan related to the proposed Ocean Beach library expansion;
3. The proposed new College Heights-Rolando Library to be built on the vacant lot that connects Montezuma Road and Reservoir Drive with Mohawk Street for the Section 108 loan related to its construction;
4. Cortez Hill Transitional Shelter, 1449 Ninth Avenue, and the City Operations Building, 1222 First Avenue, for the Section 108 loan related to the purchase and renovation of the Cortez Hill property;
5. Viet Nam Veterans Homeless Facility, 4141 Pacific Highway, for the Section 108 loan related to the City's purchase of that property; and
6. The value of the lease related to the proposed new Logan Heights Branch Library, to be built on the Logan Elementary School site, and the City Operations Building, 1222 First Avenue, for the Section 108 loan related to the construction of the new library;

Authorizing the payment of recording fees of approximately \$200 that will be incurred when placing these encumbrances on the City properties and other assets as listed above.

NOTE: See Item S501 on today's docket for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A462-470.)

ITEM-S501: Section 108 Loan Guarantee Application - FY2002.

(See SEDC Report No. 02-008. Southeastern San Diego Community Area. District-4.)

**SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S
RECOMMENDATION:**

Adopt the following resolution:

(R-2003-322) ADOPTED AS AMENDED AS RESOLUTION R-297047

Authorizing the City Manager to apply to HUD for a Section 108 Loan of \$3.535 million for Mt. Hope Public Improvement Projects and the Martin Luther King, Jr. Community Park Senior Citizen Center and to set forth the legal authority and certifications necessary for such an application;

Authorizing the City Manager to accept and expend funds, to conduct all negotiations, and to execute and submit all documents related to the processing of such a loan, if the loan is approved;

Authorizing the use of Council District 4 CDBG annual allocations and authorizing the Redevelopment Agency to expend \$100,000 annually from Central Imperial Redevelopment Area tax increment revenue to repay the 108 loan over 20 years;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$500,000 to the Redevelopment Agency for the Mt. Hope public improvements and for the Central Imperial public improvements and to appropriate an amount not to exceed \$3,000,000 into CIP-29-479.0, the Martin Luther King Senior Center when the Section 108 loan proceeds are received by the City;

Authorizing the City Manager to amend the CDBG 2003 Action Plan to reflect the use of HUD Section 108 loan funds for the projects;

Authorizing the City Manager to place an encumbrance on the City Operations Building, 1222 First Avenue, to satisfy collateral requirements of the HUD 108 loan.

NOTE: See Item S500 on today's docket for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B045-100.)

MOTION BY STEVENS TO ADOPT WITH THE FOLLOWING AMENDMENT: THE APPLICATION WILL BE FORWARDED TO HUD WITH THE COLLATERAL TO BE IDENTIFIED AND APPROVED BY CITY COUNCIL AT A LATER DATE.

Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-DOCKET ITEMS:

None

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 5:05 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G533.)